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## Fax

<b>To:</b>	Commissioner for Patents US Patent & Trademark Office Examiner: Robert C. Watson Art Unit: 3723	<b>From:</b>	<i>CCW</i> Charlotte C. Wilson Agent for Applicants Registration No. 45,224
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<b>Subject:</b>	US Patent Application No. 10 / 792,363 Application of: David Drew Morris <b>"Innerduct Guide Tube Assembly for Fiber Optic Cable"</b> Docket No.: 5594	<b>Date:</b>	January 9, 2006
<b>Copies:</b>		<b>Pages:</b>	3 (including coversheet)

### Comments:

Please find as follows—

Response to Species Election:

2 pages

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USPTO Customer No. 25280

Case 5594

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Morris, David Drew

Serial Number: 10 / 792,363

Filing Date: March 3, 2004

**For: INNERDUCT GUIDE TUBE ASSEMBLY  
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Group Art Unit: 3723  
Examiner: Robert C. WatsonCommissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to a Non-Final Office Action dated December 8, 2005, please consider the following remarks for entry into the record. It is believed that this response is being timely submitted (since January 8, 2006 was a Sunday) and that no fees are owed with this submission. Should this belief prove incorrect, the Commissioner is authorized to deduct such fees as may be required, including extension of time fees, from Deposit Account No. 04-0500.

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I hereby certify that this correspondence is being sent by facsimile transmission to 571-273-8300 addressed to "Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450" on the date listed below:

Date: January 9, 2006

Signature: Charlotte C. Wilson

Name: Charlotte C. Wilson

USPTO Customer No. 25280

Case 5594

**Election of Species**

Claims 1-32 are pending the above-referenced application. Previously, restriction to one of the following inventions was required under 35 USC 121: (I) Claims 1 – 23, drawn to a guide tube assembly, classified in class 254, subclass 134.3ft; or (II) Claims 24 – 32, drawn to a process for inserting a guide tube into a conduit, classified in class 254, subclass 1. In a response submitted November 29, 2005, Applicant respectfully elected Group I, containing Claims 1 – 23.

In the Office Action of December 8, 2005, Applicant was asked to elect a single disclosed species for prosecution from (a) the group of materials set forth in Claim 3 and (b) the group of materials set forth in Claim 6.

From the group set forth in Claim 3, Applicant selects "nylon" as the chosen species. From the group set forth in Claim 6, Applicant selects "polyvinylidene fluoride" as the chosen species. Applicant believes such election sufficient to satisfy the requirements of the Office.

Date: January 9, 2006

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Respectfully submitted,



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